

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: MAY 16, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-20543 - APPLICANT/OWNER: KYLE ACQUISITION GROUP, LLC**

**** CONDITIONS ******Public Works**

1. The existing public right-of-way grant for the southern alignment of the proposed “Northern Beltway” (AKA Mountains’ Edge Parkway) must be vacated prior to the submittal of any Final Map that does not accommodate the existing right-of-way. The applicant shall enter into a formal agreement with the City to replace the existing rights-of-way with appropriate rights-of-way along the Northern Alignment as depicted on the City’s Master Plan of Streets and Highways prior to submittal of a Parent Tentative Map for this site, and the terms of such agreement shall have been complied with prior to submittal of a Parent Final Map for this site.
2. Dedicate appropriate rights-of-way for public street infrastructure within this Master Plan to the City of Las Vegas in accordance with the Kyle Canyon Development Agreement and Design Guidelines and as required in the approved Master Traffic Study, Master Drainage Study, and Master Sanitary Sewer Study. Grant pedestrian access easements and appropriate easements for all public facilities (sewer, drainage, sidewalk, traffic signal, streetlighting, etc) as required by the City.
3. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for Bureau of Land Management (BLM) applications for all BLM-held properties adjacent to roadways proposed in this development. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
4. Submit an application to amend the City’s Master Plan of Streets and Highways for all affected Master Planned roadways interior and adjacent to this site prior to the submittal of a Parent Final Map for this site. The proposed amendment to the Master Plan of Streets and Highways must be approved by the City Council prior to the recordation of a Parent Final Map.

5. Appropriate half-street or full-width street improvements, including appropriate overpaving (if legally able) of all public streets proposed as part of the Master Development Plan shall be constructed by the Master Developer in accordance with the Kyle Canyon Development Agreement and Design Guidelines and the approved Master Traffic Study. Where this site is required to construct public street improvements on two sides of a “Not a Part” piece, or where needed for pavement continuity, widened paving shall be constructed adjacent to the not a part piece unless specifically allowed otherwise by the City Engineer.
6. Submit a design for approval by the City Traffic Engineer of the Shaumber Road and Grand Teton Drive intersection demonstrating how the roadway will be designed around the existing power transmission pole. This design shall be reflected on the Parent Final Map for this site.
7. Coordinate with the Nevada Department of Transportation (NDOT) for all work within existing NDOT rights-of-way and controlled-access areas. Obtain appropriate Occupancy Permits for all such work.
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. An update to the approved Master Drainage Study shall be submitted for approval by the Flood Control Section that illustrates the proposed phasing of improvements in accordance with the Development Agreement.
10. The Parent Tentative Map shall show all additional right-of-way for turn lanes and bus turnouts required by the Master Traffic Study, and such additional rights-of-way shall be dedicated on the Parent Final Map unless an update to the approved Master Traffic Impact Analysis is submitted to and approved by the Department of Public Works that shows that specific additional rights-of-way are not required. Comply with the recommendations of the approved Master Traffic Study update prior to occupancy of the site. If additional rights-of-way are not required and Traffic Control devices are or may be proposed within or adjacent to this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted on the Parent Final Map. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

11. The City may require updates to the approved Traffic Impact Analysis if future development is proposed that differs substantially, in the opinion of the City Traffic Engineer, from the assumptions of the approved Master Traffic Impact Analysis. Additional public right-of-way dedications may be required to accommodate such changes.
12. Site-specific Drainage Plans and Traffic Access Analysis Reports may be required as each internal site develops as required by the Department of Public Works. The City reserves the right to impose additional site-specific conditions with future site development actions.
13. Site development to comply with the Kyle Canyon Development Agreement and Design Guidelines, the approved Master Traffic Study, Master Drainage Study and Master Sanitary Sewer Study and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for the Rezoning of R-E (Residence Estates) and U (TND) (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] to T-D (Traditional Development) on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road.

The applicant states that this request is a part of the framework needed for the orderly development of this area of the city. The requested zoning district is designated under Title 19 for the development of comprehensively-planned mixed-use communities, with a minimum of eighty contiguous acres of land under one ownership or control, which can provide a balanced mix of residential, commercial and civic uses.

The proposed rezoning to the T-D (Traditional Development) zoning district is consistent with the existing TND (Traditional Neighborhood Development) General Plan designation. In conjunction with the Kyle Canyon Development Standards and Design Guidelines and Master Development Agreement, this action will allow this area to develop as outlined by the General Plan and approval of this request is recommended.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
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| 01/03/01 | The City Council approved a petition (A-0019-99) to annex property generally located on the northwest corner of Hualapai Way and Grand Teton Road containing 667 acres of land. |
| 04/02/03 | ZON-1364 The City Council approved a request to Rezone (ZON-1364) portions of property along the Rancho Corridor in an attempt to clean up the disparity between the zone and general plan designations in this area. The Planning Commission and staff recommended approval. |
| 05/19/04 | The City Council approved a request to amend a portion of Map 10 of the General Plan (GPA-4044) to realign power line corridors within the Cliff's Edge Master Development Plan area. The realignment placed power lines on the north side of Grand Teton Drive, within the Kyle Canyon area and within the overall subject parcel. The Planning Commission and staff recommended approval. |
| 12/01/04 | The City Council approved a request to amend the Master Plan Recreation and Transportation Trail Elements (GPA-5157) to re-designate portions of proposed alignments in developed areas as pedestrian paths. The Planning Commission and staff recommended approval. |

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| 01/05/05 | The City Council approved a request to adopt the Northwest Open Space Plan (DIR-5543) for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive. The Planning Commission and staff recommended approval. |
| 01/18/06 | The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from SC (Service Commercial), PCD (Planned Community Development) and PF (Public Facilities), to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval. |
| 06/07/06 | The City Council approved a request (GPA-12339) to amend Map Eleven of the Centennial Hills Sector Plan to allow the relocation of an approved Electric Utility Substation from the northeast corner of Hualapai Way and Grand Teton Drive to a site north and west of the approved location; and for the addition of transmission lines related to the proposed relocation of the proposed substation. The Planning Commission and staff recommended approval. |
| 07/19/06 | The City Council approved a Site Development Plan Review (SDR-13535) and Special Use Permit (SUP-13536) to allow the relocation of an approved Electric Utility Substation from the northeast corner of Hualapai Way and Grand Teton Drive to a site north and west of the approved location. The Planning Commission and staff recommended approval. |
| 04/26/07 | The Planning Commission held this item in abeyance until the 05/10/07 meeting to allow more time to review the proposed changes and to notice the an additional item related to the development agreement. |
| 05/10/07 | A companion item for a Development Agreement (DIR-21605) will be heard concurrently with this item. |
| <i>Related Building Permits/Business Licenses</i> | |
| There are no building permits or businesses licenses related to this site or action. | |
| <i>Pre-Application Meeting</i> | |
| 03/14/07 | A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed. |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting is not required nor was one held. | |

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| <i>Field Check</i> | |
| No field check was conducted for this site. | |

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| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Gross Acres | 1,712 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|---------------------------|--|---|
| Subject Property | Undeveloped | TND (Traditional Neighborhood Development) | U (TND) (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] |
| | | | R-E (Residence Estates) |
| North | Undeveloped | PCD (Planned Community Development) | U (PCD) (Undeveloped) [PCD (Planned Community Development) General Plan Designation] |
| | | TND (Traditional Neighborhood Development) | U (TND) (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] |
| South | Undeveloped | PCD (Planned Community Development) | PD (Planned Development) |
| | | | R-E (Residence Estates) |
| | | SC (Service Commercial) | R-E (Residence Estates) |
| | | | C-2 (General Commercial) |
| | Single-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |
| | Multi-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |
| East | Undeveloped | PF (Public Facilities) | R-E (Residence Estates) |
| | | L (Low Density Residential) | R-E (Residence Estates) |
| | | ML (Medium-Low Density Residential) | R-E (Residence Estates) |

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|------|------------------------------|---|---|
| | Public School, Primary | PCD (Planned Community Development) | C-V (Civic) |
| | Single-Family Residential | PCD (Planned Community Development) | R-PD3 (Residential Planned Development – 3 Units Pr Acre) |
| | | | R-PD6 (Residential Planned Development – 6 Units Pr Acre) |
| | Multi-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |
| West | Undeveloped | PCD (Planned Community Development) | U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] |
| | | Clark County | Clark County |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | n/a |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | n/a |
| Trails | X | | Y |
| Rural Preservation Overlay District | | X | n/a |
| Development Impact Notification Assessment | X | | Y |
| Project of Regional Significance | X | | Y |

ANALYSIS

The subject site is located on the Centennial Hill Sector Map of the General Plan. The site is designated as TND (Traditional Neighborhood Development). This category allows development that is characterized as a mixed-use development type that allows for a balanced mix of housing, commercial, and civic uses. It is intended to be organized as a series of pedestrian-oriented neighborhoods with a mixture of housing types, with the uses of daily living within proximity of dwellings. The TND (Traditional Neighborhood Development) category differs from other designations by focusing on pedestrian-oriented neighborhoods that de-emphasizes gated, private streets, cul-de-sacs and perimeter walls along the roadways. The proposed rezoning to the T-D (Traditional Development) zoning district will allow a comprehensively-planned mixed-use community, with a minimum of eighty contiguous acres of land under one ownership or control, which can provide a balanced mix of residential, commercial and civic uses as outlined in Title 19.02.

The current version of the Kyle Canyon Development Standards and Design Guidelines illustrates how the Master Developer and the City of Las Vegas are attempting to meet the objectives of the TND (Traditional Neighborhood Development) General Plan Designation and the T-D (Traditional Development) zoning district. Specifically, the design guidelines emphasize the pedestrian and neighborhood connectedness called for by the proposed zoning designation. One way that they do this is by requiring that in certain positional situations, residential neighborhoods that make use of a cul-de-sac street have terminuses that end not in the typical residential lots completely surrounding the bulb but with a pedestrian oriented common lot. This configuration allows bicycle and pedestrian access between these normally cut off neighborhoods and the surrounding community. Additionally, the latest draft of the preliminary pod access points plan depicts efforts to maintain connections between neighboring developer parcels using both vehicular and pedestrian paths. Streets within the master plan area provide various ways to emphasize the pedestrian orientation by providing protected sidewalks and trails that are separated from the roadway by landscaping buffers of varying widths. Additionally, collector and neighborhood streets provide on-street parking lanes to add an extra layer of separation between pedestrian and vehicular traffic.

The development standards outline the use of walls in this master planned community. There are standards for walls along the perimeter of the overall community (village walls) as well as standards for product and front yard walls. The emphasis of the guidelines has been to minimize the solid block walls and incorporate more wrought iron view fencing. The wall heights are variable based on the topographic constraints of the individual site, but typically can not exceed heights of 12.67 feet for Village Walls, 18 feet for Product Walls, and 5.33 feet for front yard walls.

One main component of the TND (Traditional Neighborhood Development) General Plan Designation is that neighborhoods contain a mix housing types. Under the typical zoning or master plan certain areas are reserved for a limited type of housing (i.e. Title 19's R-1 (Single Family Residential) zoning district and The Cliff's Edge Master Plan's L (Low Density Residential) designation only allow single family detached structures conforming to development wide lot sizes and setback requirements). Under the development standards for Kyle Canyon various housing types are encouraged in each residential parcel type. Specifically, within the Neighborhood Residential Parcels, each builder is required to produce a minimum of two single family building types and no type may exceed 60 percent of the units in that developer parcel. In the Neighborhood Residential designation there are 11 building type variants to work with.

Further, the plan limits the number of gated communities within the plan area to a maximum of 4,000 units or 25 percent of the master plan's residential offerings. The guidelines prohibit these gated neighborhoods from using solid perimeter walls to enclose the development and are encouraged to use wrought iron view fences where possible. As a part of the allowance for gated communities, the standards still require that a number of these developments provide secured pedestrian access points to neighboring developer parcels and village streets.

The design guidelines include detailed descriptions of how the developers are to incorporate and make accessible the area's natural environment and the proposed trail system. The arroyos are being excluded from development and being integrated as a part of the community's parks and open space. The development standards give special attention to how neighborhoods and roadways that border these areas are to emphasize their openness and accessibility. One way that this is accomplished is to provide pedestrian access points from all developer parcels that are adjacent to these natural features. The trail and pedestrian pathways system within the master plan area is rather extensive, making the entire master plan area pedestrian accessible. The interior trail system connects to the broader community by linking to the Red Rock Canyon National Conservation Area, the Mountain Edge Parkway Trail and the city's trail system along Grand Teton Drive.

Overall the current version of the Kyle Canyon Development Standards and Design Guidelines meet the objectives of the TND (Traditional Neighborhood Development) General Plan Designation and proposed T-D (Traditional Development) zoning district. The allowance of cul-de-sac streets and the potential use of product walls to separate the developments have been mitigated in part by providing the pedestrian connections at select bulb terminuses and requiring access points between adjacent developer parcels. The potential for community and development walls are limited by the development standards and their impact reduced due to the direction to use view fences where possible versus solid, block walls.

The site encompasses multiple parcels that are to be included with the Kyle Canyon Development Standards and Design Guidelines and covered under the plan's Development Agreement. The proposed rezoning to the T-D (Traditional Development) zoning district is consistent with the existing TND (Traditional Neighborhood Development) General Plan designation. This rezoning is one of the necessary steps in moving forward with the master plan process for this area and staff is recommending approval of this item.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. "The proposal conforms to the General Plan."**

The proposed rezoning would bring the zoning at this site into conformance with the TND (Traditional Neighborhood Development) designation as listed under the Centennial Hills Sector Plan of the General Plan. The TND (Traditional Neighborhood Development) category allows for a balanced mix of housing, commercial, and civic uses. The proposed Kyle Canyon Development Standards and Design Guidelines and Master Development Agreement will accommodate a range of development options and is in compliance with the General Plan.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The Kyle Canyon Development Standards and Design Guidelines and Master Development Agreement identify uses and densities that are compatible with the areas that are currently developed. None of these properties should be affected by the possibility of rezoning. The proposed rezoning would be compatible with the residential and educational uses that surround the subject properties.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Growth and development factors indicate a need for future residential, commercial, and civic activities to locate in this area. Given the existing General Plan designation of TND (Traditional Neighborhood Development) on the subject site, the rezoning to the T-D (Traditional Development) zoning district is appropriate for the area.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site will receive access from U.S. 95 as well as other major and minor streets that will be connected or developed as apart of the Kyle Canyon Development Standards and Design Guidelines and Master Development Agreement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 2,013 by Planning Department

APPROVALS 0

PROTESTS 0